



JAMES A. NOYES, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
www.ladpw.org

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE

REFER TO FILE: **C-1**

May 4, 2004

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**ACCEPTANCE OF PUBLIC WORKS CONTRACTS
SUPERVISORIAL DISTRICTS 1 AND 5
3 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

Ratify changes in work and accept completed contract work under the following construction contracts:

Project ID No. FCC0000377 - Valleydale School Drain and Arrow Highway, vicinities of Azusa and Covina (1 and 5), Sully-Miller Contracting Company, with changes amounting to a credit of \$25,682.88, and a final contract amount of \$1,822,875.57.

Project ID No. FCC0000744 - Santa Clara River Invert Access Ramps, City of Santa Clarita (5), 4-Con Engineering, Inc., with changes amounting to a credit of \$36.00, and a final contract amount of \$347,087.15.

Project ID No. SMDACO0078 - Kalmia Street, et al., Sanitary Sewers, vicinity of Walnut Park (1), Mladen Grbavac Construction Company, with changes in the amount of \$1,263.45, and a final contract amount of \$1,007,709.89 (Partial Acceptance).

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

This action is to obtain Board ratification of Director-approved changes in public works contracts and Board acceptance of the work of the contracts in compliance with the provisions of the Public Contract Code. Included in the enclosures are project and contract data, the scope of work of changes to be ratified, and the work of the contracts to be accepted.

The Director of Public Works has been authorized by your Board to order changes in work up to \$10,000 for construction contracts. Changes to accommodate field conditions in order to meet the intent of the plans and specifications are not subject to this monetary limitation. Enclosed for your ratification are changes in work which I ordered for Project ID Nos. FCC0000377, FCC0000744, and SMDACO0078.

The projects have been completed, and it is recommended that your Board accept them on the dates indicated in the enclosures.

Implementation of Strategic Plan Goals

The acceptance of these construction contracts is consistent with the County Strategic Plan Goal of Service Excellence since acceptance of these completed contracts will provide improved infrastructure to better serve the public.

FISCAL IMPACT/FINANCING

The modifications to the contract amounts range in value from a credit of \$25,682.88 to an increase in the amount of \$1,263.45, while the total values of the contracts range from \$347,087.15 to \$1,822,875.57.

Ratification of the changes in work and acceptance of the work of the respective contracts by your Board is in compliance with the acceptance and prompt payment provisions of the Public Contract Code.

Sufficient funds are available in the Board-approved appropriations for each of the respective projects to cover the costs of the changes and the total value of each of the contracts. Detailed cost breakdowns for each of the changes together with contract cost summaries are included in the enclosures.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Each of these contracts for the construction of public works improvements was awarded by your Board to the lowest responsible bidder in accordance with the California Public Contract Code, your Board's directives, and as recommended by the Director of Public Works.

ENVIRONMENTAL DOCUMENTATION

The changes in the work as described above and in the enclosures are within the limits of the Board-approved projects and do not change any conditions which resulted in the original environmental findings.

CONTRACTING PROCESS

Each contract provided that the contractor be compensated for changes in the work as a result of changes to the original plans and specifications or changed conditions encountered during the course of construction. The costs of each of the changes were based on contract unit prices, time and materials methods, or were negotiated under the provisions of the contract specifications. The methods for arriving at the final costs of the changes are included in the enclosures.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Ratification of the requested changes and acceptance of the work of the contracts by your Board will ensure the timely closeout of the respective contracts, releasing Departmental and County assets for other construction-related activities.

The Honorable Board of Supervisors
May 4, 2004
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CONCLUSION

Please return one approved copy of this letter to Public Works.

Respectfully submitted,

JAMES A. NOYES
Director of Public Works

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cc: Chief Administrative Office
County Counsel
Office of Affirmative Action Compliance

ACCEPTANCE OF CONTRACT

May 4, 2004

PROJECT ID NO. FCC0000377, VALLEYDALE SCHOOL DRAIN AND ARROW HIGHWAY (in the vicinities of Azusa and Covina), Supervisorial Districts 1 and 5

Contractor: Sully-Miller Contracting Company, 1100 East Orangethorpe Avenue, Suite 200, Anaheim, California 92801

Project Description:

Construction of a reinforced concrete pipe storm drain system and drainage structures; resurfacing and reconstruction of roadway pavement; reconstruction of curb, gutter, sidewalk, driveways, bus pads, and curb ramps; and modification of traffic signals.

Changes in Work:

(1) Variations in Bid Quantities	(\$23,950.38)
(2) Overtime Inspection	<u>(1,732.50)</u>
Total	(\$ <u>25,682.88</u>)

Description of Changes:

(1) The original contract amount is based upon estimated bid quantities of the various bid items. The contractor is paid based upon actual quantities used. The decrease in contract price reflects the net adjustment due to variations between estimated bid quantities and actual quantities.

(2) The contractor requested 33 hours of overtime inspection, which resulted in a credit to the contract in the amount shown.

The costs for Item 1 were based on contract unit prices. The cost for Item 2 was stipulated in the contract specifications.

Project Completion Date:

The contractor completed the project on January 23, 2004, in accordance with the plans and specifications. The delay in forwarding this letter to your Board was due to the length of time required for the contractor to furnish the documentation necessary to close out the contract.

Final Contract Amount:

Original contract amount	\$1,848,558.45
Changes in work authorized by Director of Public Works	<u>(25,682.88)</u>
FINAL CONTRACT AMOUNT	<u><u>\$1,822,875.57</u></u>

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ACCEPTANCE OF CONTRACT
May 4, 2004

PROJECT ID NO. FCC0000744, SANTA CLARA RIVER INVERT ACCESS RAMPS
(City of Santa Clarita), Supervisorial District 5

Contractor: 4-Con Engineering, Inc., P.O. Box 2217, Fontana, California 92334-2217

Project Description:

Construction of three reinforced concrete invert access ramps and other appurtenant work.

Changes in Work:

Variations in Bid Quantities (\$36.00)

Description of Changes:

The original contract amount is based upon estimated quantities of the various bid items. The contractor is paid based upon actual quantities used. The decrease in contract price reflects the net adjustment due to variations between estimated bid quantities and actual quantities. The costs for these changes will be based on contract unit prices.

Project Completion Date:

The contractor completed the project on December 8, 2003, in accordance with the plans and specifications. The delay in forwarding this letter to your Board was due to the length of time required for the contractor to furnish the documentation necessary to close out the contract.

Final Contract Amount:

Original contract amount	\$263,886.00
Actual costs of changes in work previously approved by the Board	83,237.15
Changes in work authorized by Director of Public Works	<u>(36.00)</u>
 FINAL CONTRACT AMOUNT	 <u>\$347,087.15</u>

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ACCEPTANCE OF CONTRACT (PARTIAL)
May 4, 2004

PROJECT ID NO. SMDACO0078, KALMIA STREET, ET AL., SANITARY SEWERS
(in the vicinity of Walnut Park), Supervisorial District 1

Contractor: Mladen Grbavac Construction Company, P.O. Box 660219, Arcadia,
California 91006

Project Description:

Construction of vitrified clay pipe mainline sewers, sewage bypass and pumping, and other appurtenant work.

Change in Work:

Concrete Encasement and Removal	\$1,263.45
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Description of Change:

Your Board previously approved a change in work to provide concrete encasement around the new sewer pipe where it crosses a Metropolitan Water District waterline and to remove concrete from an existing concrete encased pipe. The cost of this work exceeded the original estimate by the amount shown. The cost for this item was based on time and materials methods as provided in Subsection 3-3 of the contract specifications.

No additional working days were required because of this change.

Project Completion Date:

The contractor completed the project on August 12, 2003, in accordance with the plans and specifications. However, the contractor finished the work 44 days after the required contract completion date. The project specifications provide for the assessment of liquidated damages of \$1,000 per day for each calendar day in excess of the contract completion date; therefore, we recommend liquidated damages in the amount of \$44,000. The contractor is disputing this assessment.

In addition, the County and the contractor are currently negotiating the resolution of a claim submitted by the contractor. Rather than delay payment of the retention to the contractor for the completed work, pursuant to Section 7107 of the California Public Contract Code, we recommend that all retention be released. Once the claim and the issue of the liquidated damages are resolved, we will provide your Board with our recommendation for final acceptance of the work for this contract.

Final Contract Amount:

Original contract amount	\$ 816,120.00
Actual costs of changes in work previously approved by the Board	234,326.44
Change in work authorized by the Director of Public Works	1,263.45
Deduction for liquidated damages	<u>(44,000.00)</u>
 FINAL CONTRACT AMOUNT	 <u>\$1,007,709.89</u>

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